

STATE OF VERMONT  
HUMAN SERVICES BOARD

In re	)	Fair Hearing No. 10,069
	)	
Appeal of	)	

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare denying his applications for food stamps and fuel assistance. The issue is whether the petitioner's income exceeds the programs' maximums.

FINDINGS OF FACT

The petitioner lives alone in a house that he owns. His income from Social Security and VA pensions totals \$1,036 a month. The petitioner incurs expenses of taxes, insurance, and utilities on his home. His financial problems largely stem from the fact that he recently took out a home equity loan to purchase a separate mobile home. The petitioner intended to sell his house and move into the mobile home. Unfortunately, however, he has not been able to find a buyer for his house and has been forced to rent the mobile home to someone else.

ORDER

The Department's decisions is affirmed.

REASONS

Even with all allowable "deductions", the petitioner's income is well in excess of the maximums for both the fuel and food stamp programs. See W.A.M. §§ 2904.1 and 2953 and Food Stamp Manual §§ 273.9 and 273.10. The problem is that the petitioner's home equity loan does not qualify as a deduction from his income for either program. Id. Inasmuch as the Department's decisions are clearly in accord with the pertinent regulations, they must be affirmed. 3 V.S.A. § 3091(d). Fair Hearing No. 19. Food Stamp Fair Hearing Rule No. 17

# # #